

Court of Appeals, Division One
Criminal

1 CA-CR 15-0790

STATE v. MARTINEZ

Appellate Case Information

Case Filed: 1-Dec-2015
Case Closed:

Dept/Composition

Department E

Hon. Kent E Cattani
Hon. Lawrence F Winthrop
Hon. Michael J Brown

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Myles A Braccio, Esq. (AZ Bar No. 27332)

Side 2. GUADALUPE PUERTA MARTINEZ, Appellant

(Litigant Group) GUADALUPE PUERTA MARTINEZ

- Guadalupe Puerta Martinez

Attorneys for: Appellant

Lawrence H Blieden, Esq. (AZ Bar No. 9027)

CASE STATUS

Dec 20, 2016....Decision Rendered

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2012-141350-003	Possession of Dangerous Drugs for Sale, Class 2; Possession for Sale of Narcotic Drugs, Class 2; Possession of Drug Paraphernalia, Class 6; Misconduct Involving Weapons, Class 4	10 Years; 9.2 Years; 1.75 Years; 4.5 Years	Joan M Sinclair, Sentencing	JURY	

2 OPEN DUE DATES

Motion for Reconsideration due

Due By:

Monday, January 9, 2017

Re: MEMORANDUM DECISION (Convictions Affirmed, Sentence Affirmed as Modified) Hon Michael J Brown - Author; Hon Kent E Cattani - Concur; Hon Lawrence F Winthrop - Concur

Petition for Review to ASC due

Due By:

Tuesday, January 24, 2017

Re: MEMORANDUM DECISION (Convictions Affirmed, Sentence Affirmed as Modified) Hon Michael J Brown - Author; Hon Kent E Cattani - Concur; Hon Lawrence F Winthrop - Concur

CASE DECISION

20-Dec-2016 MEMORANDUM DECISION

Michael Brown.....Author
Kent Cattani.....Concur
Lawrence Winthrop.....Concur

Filed: 20-Dec-2016

Mandate:

Decision Disposition

Convictions Affirmed
Sentence Affirmed as Modified

41 PROCEEDING ENTRIES

- 1-Dec-2015 FILED: Notice of Appeal from Maricopa County Superior Court filed 11/24/15. Notification sent to Court Reporters dated 11/30/2015
- 8-Dec-2015 ORDERED: Financial arrangements or copy of application for indigency due on/before 01/06/16. Anthony Mackey ProTem Judge - Author
- 5-Jan-2016 FILED: Appellant's Motion for an Extension of Time to Provide Notice of Arrangements to Pay for Preparation of Transcripts; Certificate of Service (Appellant)
- 5-Jan-2016 FILED: No Financial Arrangements (Vanessa Melstrom)

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5. 7-Jan-2016 ORDERED: Appointing Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Transcripts due 02/22/2016. Anthony Mackey ProTem Judge - Author
6. 7-Jan-2016 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: 96
Exhibits: None Sent
7. 12-Jan-2016 FILED: Reporters Transcript - 07/13/2015 - (Janell Rose)
8. 10-Feb-2016 FILED: Reporters Transcript - 07/14/2015 - (Kristen Brown)
9. 10-Feb-2016 FILED: Reporters Transcript - 11/10/2015 - (Kristen Brown)
10. 11-Feb-2016 FILED: Reporters Transcript - 02/27/2015 - (Christine Coaly)
11. 19-Feb-2016 FILED: Motion for Extension of Time to File Transcripts (Vanessa Melstrom)
12. 20-Feb-2016 FILED: Reporters Transcript - 07/15/2015 - (Jennifer Pancratz)
13. 22-Feb-2016 ORDERED: Motion for Extension of Time to File Transcripts (Vanessa Melstrom) = GRANTED. Due date EXTENDED from Monday, 02-22-2016 to Wednesday, 03-23-2016 for transcript of proceedings held on 07/09/2015 or OSC 04/06/2016. Hon Samuel A Thumma - Author
14. 14-Mar-2016 FILED: Reporter's Transcript- 07/09/2015 - Jury Trial - Day 1 - All Day - (Vanessa M. Melstrom)
15. 15-Mar-2016 FILED: Notice of Completion of Record
16. 24-Mar-2016 FILED: Motion to Provide Sealed or Confidential Jury List; Certificate of Service (Appellant)
17. 28-Mar-2016 ORDERED: Motion to Provide Sealed or Confidential Jury List (Appellant) = GRANTED/directing clerk of this court to unseal the random jury list upon presentation of this order by appellant/appellee or their agents. FURTHER ORDERED: after inspection/copying by appellant/appellee, clerk of this court to reseal the random jury list. Fred Cole ProTem Judge - Author
18. 14-Apr-2016 FILED: Motion to Supplement the Record on Appeal; Certificate of Service (Appellant)
19. 15-Apr-2016 FILED: Amended Motion to Supplement the Record on Appeal; Certificate of Service (Appellant)
20. 20-Apr-2016 ORDERED: Motion to Supplement the Record on Appeal (Appellant) = GRANTED/Supplementing record with presentence report filed in Maricopa County CR2014-124428-003. FURTHER ORDERED: Supplemental record due 05/06/2016. Anthony Mackey ProTem Judge - Author
21. 20-Apr-2016 ORDERED: Amended Motion to Supplement the Record on Appeal (Appellant) = GRANTED/transcripts due 05/18/2016. FURTHER ORDERED: Opening Brief due date EXTENDED to 06/17/2016. Anthony Mackey ProTem Judge - Author
22. 21-Apr-2016 FILED: Additional Record on Appeal
Presentence Report filed in Maricopa County cause CR 2014-124428-003
23. 27-Apr-2016 FILED: Reporter's Transcript - 8/25/15 - Status Conference/Continuance (Kristen Brown)
24. 27-Apr-2016 FILED: Reporter's Transcript - 8/25/15 [sic] - Change of Plea/Continuance (Kristen Brown)
25. 27-Apr-2016 FILED: Reporter's Transcript - 10/6/15 - Change of Plea/Continuance (Kristen Brown)
26. 2-May-2016 FILED: Motion to Supplement with Previously Referenced Documentation Received from MCSO; Certificate of Service (Appellant)
27. 3-May-2016 FILED: Reporter's Transcripts 12/04/2014 (Darla Coulter)
28. 11-May-2016 ORDERED: Motion to Supplement with Previously Referenced Documentation Received from MCSO (Appellant) = DENIED. Anthony Mackey ProTem Judge - Author
29. 20-Jun-2016 ORDERED: Opening Brief due date EXTENDED from Friday, 06-17-2016 to Monday, 07-18-2016. Fred Cole ProTem Judge - Author
30. 18-Jul-2016 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)

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| 31. | 18-Jul-2016 | FILED: Motion to Extend Opening Brief Due Date for One Day; Certificate of Service (Appellant) |
| 32. | 19-Jul-2016 | ORDERED: Motion to Extend Opening Brief Due Date for One Day (Appellant) = DENIED/As unnecessary. Anthony Mackey ProTem Judge - Author |
| 33. | 27-Jul-2016 | FILED: Notice of Appearance; Certificate of Service (Appellee) |
| 34. | 6-Sep-2016 | FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee) |
| 35. | 29-Sep-2016 | FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days |
| 36. | 30-Sep-2016 | FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant) |
| 37. | 7-Oct-2016 | FILED: Supplemented Superior Court e-Record with Revised Index of Record (includes copy of transcripts filed directly with COA1 previously and Designation of Record for Appeal filed on 01/06/2016) |
| 38. | 28-Oct-2016 | CLNDR: CONFERENCE, Department E, 12-6-16, COURTROOM 2. |
| 39. | 15-Nov-2016 | FILED: Notice of Appearance; Certificate of Service (Appellant) |
| 40. | 20-Dec-2016 | MEMORANDUM DECISION (Convictions Affirmed, Sentence Affirmed as Modified) Hon Michael J Brown - Author; Hon Kent E Cattani - Concur; Hon Lawrence F Winthrop - Concur |
| 41. | 20-Dec-2016 | FILED: Memorandum Decision Distribution List |